

### **REMARKS**

Applicant respectfully requests reconsideration. Claims 1-10 and 33-55 were previously pending in this application. By this amendment, claims 1, 33, 43, 49 and 55 have been amended.

#### **Summary of Telephone Conference with Examiner**

The rejection of claims 1 and 33 under 35 U.S.C. §102 in view of Bleck et al. was discussed. Applicants presented their position that the structure the Examiner describes as a cover in Bleck does not contain “a plurality of like modules coupled together, each having a portion covering the opening of a mating face of a connector element.”

The rejection of claims 49 and 55 under 35 U.S.C. §101 was discussed. Applicants agreed to supply a citation to the MPEP indicating that claims linked as a product and method of use of the product are proper in the same application.

The rejection of claims 36-38, 43-46, 48, and 50-54 under 35 U.S.C. §103 was discussed. It was agreed that neither an “adhesive member” as in claim 36-38 nor an “adhesive substance” as in claims 43-55 is shown in the prior art of record.

#### **Comments on Examiner’s Summary of the Invention**

Applicants disagree with the Examiner’s statement that Applicants agreed to modify independent claims to further distinguish over the prior art of record. Applicants agreed to add the modifier “dust” before the word “cover” in claim 1. This change would address the rejection based on §112. Applicants agreed to make similar changes in other claims for consistency. Applicants do not believe the term narrows the claim because any cover that meets the other limitations of the claim would necessarily be a “dust cover.” In particular, both claims 1 and 33 already recite “each of the modules having a portion covering the opening of a front mating face of a connector element,” which is the intended definition of a “dust cover.”

#### **Objections to the Specification**

The Examiner objected to the title of the patent application, “Protective Covers for Fiber Optic Connector.” The title of the patent application has been changed to “Modular Protective

Covers for Fiber Optic Connector Assembly.” Accordingly, withdrawal of this objection is respectfully requested.

Rejections under 35 U.S.C. §112

The Examiner rejected claim 2 under 35 U.S.C. §112. As discussed during the interview, changes to the claims remove this rejection. Accordingly, withdrawal of the rejection of claim 2 under 35 U.S.C. §112 is respectfully requested.

Rejections Under 35 U.S.C. §101

The Examiner rejected claims 49 and 55 under 35 U.S.C. §101 as being an apparatus claim combined with a method claim. Applicants respectfully disagree that claims 49 and 55 do not fall within one of the categories listed in 35 U.S.C. §101. Both claims are method claims. They recite a method of using a product, which is a process within 35 U.S.C. §101.

Further, Applicants contend that it is proper to have claims to a product and a process of using that product in the same application. The MPEP states one or more claims in different categories must be allowed in one application if there is another claim that “links” them. MPEP § 809.03(d) gives as an example that a claim to a product and a claim to the process of using the product must be allowed in the same application because the claim to the product is a “linking claim.” Claims 49 and 55 are method of use claims clearly linked to the product claims. Accordingly, withdrawal of the rejection of claims 49 and 55 under 35 U.S.C. §101 is respectfully requested.

Rejections Under 35 U.S.C. §102

The Examiner rejected claims 1, 2, 6-8, 33, 35 and 39-42 under 35 U.S.C. §102 as being anticipated by Bleck et al. U.S. Patent No. 6513989.

In Bleck et al. FIG. 1, the Examiner has equated the “cover” of the claim with portions 4 and 52 of the reference. However, independent claims 1 and 33 recite a cover comprising a “plurality of like modules.” Neither portion 4 or 52 contains a plurality of like modules. Further, the claims recite that each of the modules has “a portion covering the opening of a front

ating face of a connector element.” Portions 4 and 52 are shown with open faces and do not meet this limitation. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 2, 6-8, 35 and 39-42 depend from claims 1 and 33 and should be allowed for the same reasons. The dependent claims provide additional limitations not shown or suggested in the reference. For example, claim 2 recites a “second type module having features thereon for latching to the optical connector.” Claim 6 recites that the optical connector is a backplane connector. In contrast, the reference shows a connector engaging in a “bushing housing” mounted in a “carrier plate.” Claim 7 recites “a support member to which the connector elements are attached.” Claim 8 recites “that the optical connector is mounted in the backplane of an electronics system” and further requires that it be mounted to a “dummy board.” Claim 35 recites a shutter that is actuated by compressing the housing. Claim 40 recites a daughter card for an electronic assembly that includes a force generating apparatus. Relative dimensions for these features are recited in the claim. Accordingly, these claims should be allowed.

#### Rejections Under 35 U.S.C. §103

The Examiner rejected claims 3-5, 9, 10, 34, 36-38, 43-46, 47, 48 and 50-54 under 35 U.S.C. §103(a) as being unpatentable over Bleck et al. in view of Iwase U.S. Patent No. 6461054 and Weber U.S. Patent No. 4797123 .

Claims 3-5, 9, 10, 34 and 36-38 depend from claims 1 and 33. As discussed above, Bleck et al. does not show features of claims 1 or claim 33. Neither Iwase nor Webber teaches or suggests the missing features. Iwase is cited to shows a connector with a shutter, does not show a shutter used in connection with a cover. Webber is cited to show a modular construction, but does not show a modular construction in connection with a cover for an optical connector. None of these references provides any teaching or suggestion that would motivate their use in a system as is claimed.

Accordingly, claims 3-5, 9, 10, 34 and 36-38 should be allowed for the reasons presented above in connection with claims 1 and 33. The dependent claims recite additional details not shown or suggested in the references and provide further reasons for patentability.

For example, claim 3 recites a shutter used in connection with the cover. Though Iwase is cited to show a shutter, there is no teaching or suggestion in the references to use two protective features such as a shutter and a cover in the same optical connector assembly.

Claim 9 recites the use of a dummy board with a compliant mount. Claim 10 recites a gasket. Claim 34 recites a specific shape of the cover modules. The references, even if combined, would not contain all the elements of these claims.

Claim 36 recites an adhesive member. Such a member is described in the application as being useful for cleaning the connector, but is not shown or suggested in the references. Claims 37 and 38 likewise relate to the adhesive member. Independent claim 43 recites "an adhesive substance positioned between the optical connector and the cover." The references do not show or suggest this feature. As described in the application, and as more particularly claimed in connection with claims 49 and 55, the adhesive substance may be used as part of a method of using an optical connector. Neither the structure nor the methods are described or suggested in the references cited.

The remaining claims depend from claim 43. These claims add further limitations to further distinguish over the prior art. For example, claims 44, 45 and 50-53 describe additional details of the structure of the adhesive substance. Claims 46, 47 and 54 describe additional detail of the integration of the adhesive substance into the connector assembly.

Accordingly, withdrawal of this rejection is respectfully requested.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,  
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